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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,237	05/06/2005	Juan Manuel Tejjido	282780US8X PCT	3378

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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER

MARTINEZ, JOSEPH P

ART UNIT	PAPER NUMBER
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2873

NOTIFICATION DATE	DELIVERY MODE
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08/03/2010

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/534,237	Applicant(s) TEIJIDO ET AL.	
	Examiner JOSEPH MARTINEZ	Art Unit 2873	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 41-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 41-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 May 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement filed 3-5-10 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the NPL has not been properly cited and submitted. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Response to Arguments

Applicant's arguments filed 4-26-10 have been fully considered but they are not persuasive.

Re applicant's arguments on p. 3, wherein the applicant argues that the prior art does not disclose a gap structure and the gap width of the gap structure is small in particular compared to the cross-sections of the solid state light source and the light collecting, integrating and re-directing device, have been considered, but are not persuasive. The examiner interprets fig. 2A to disclose a gap, and therefore teaches the claimed limitation. Furthermore, the examiner interprets "closely connected" to include optically connected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 41, 46 and 47 are rejected under 35 U.S.C. 102(b) as being fully anticipated by Tiao et al. (6318863).

Re claim 46, Tiao et al. teaches for example in fig. 2A, an illumination arrangement, comprising: a solid state light source (202); a light collecting, integrating and re-directing device (220) configured to receive at least a part of emitted light from said solid state light source and to redirect said received light (col. 3, ln. 21-24); and a light coupling mechanism (212) configured to improve coupling efficiency of said emitted light from said solid state light source to said light collecting, integrating and redirecting device (col. 3, ln. 14-17), wherein the light coupling mechanism includes a gap structure (fig. 2A) directly coupling the light collecting, integrating and re-directing device to the solid state light source (col 3, ln 14-18), and the gap width of the gap structure is small in particular compared to the cross-sections of the solid state light source and the light collecting, integrating and re-directing device (fig. 2A; col 3, ln 14-18).

Re claim 47, Tiao et al. teaches for example in fig. 2A, an illumination arrangement, comprising: a solid state light source (202); a light collecting, integrating and redirecting device (220) configured to receive at least a part of emitted light from said solid state light source and to redirect said received light (col. 3, ln. 21-24); and a light coupling means (212) for improving coupling efficiency of said emitted light from said solid state light source to said light collecting, integrating and redirecting device (col. 3, ln. 14-17), wherein the light coupling mechanism includes a gap structure (fig. 2A) directly coupling the light collecting, integrating and re-directing device to the solid state light source (col 3, ln 14-18), and the gap width of the gap structure is small in particular compared to the cross-sections of the solid state light source and the light collecting, integrating and re-directing device (fig. 2A; col 3, ln 14-18).

Re claim 41, Tiao et al. further teaches for example in fig. 2A, said light integrating device (220) is or comprises a plain light pipe (col. 3, ln. 22) in particular a solid integration rod-having a light incidence aperture (220A) and a side wall (wall of 220), wherein said side wall of said light integrated device is provided with a reflecting means (col 3, ln 32-36) as said light coupling and/or guiding improving arrangement, and wherein said reflecting means is adapted and/or arrangement so as to reflect light escaping from said light integrating device through the side wall thereof back into said light integrating device (col 3, ln 32-36).

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tiao et al. (6318863) in view of Li (6587269).

Re claim 42, supra claim 46. Furthermore, Tiao et al. further teaches for example in fig. 2A, said light integrating device (220) is or comprises a plain light pipe (col. 3, ln. 22) in particular a solid integration rod-having a light incidence aperture (220A), wherein said light incidence aperture (220A) of said light integrating device (220) is positioned in a neighborhood (fig. 2A) of a light exit aperture (212B) of said light mixing devices (212).

But, Tiao et al. fails to explicitly teach between said light incidence aperture of said light integrating device and said light exit aperture of said light source device or of said light mixing devices refraction index matching means is or are provided, in particular filling a gap or a gap structure between said light incidence aperture of said light integrating device and said light exit aperture of said light source device and/or light mixing devices.

However, within the same field of endeavor, Li teaches for example in fig. 1 and 5, between said light incidence aperture (501) of said light integrating device (50) and

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said light exit aperture of said light source device or of said light mixing devices (30) refraction index matching means (col. 5, ln. 39-45) is or are provided, in particular filling a gap or a gap structure (70) between said light incidence aperture (input of 20 and 50) of said light integrating device (20, 50) and said light exit aperture of said light source device (120) or light mixing devices (30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Liao et al. with the teachings of Li in order to provide a more uniform intensity profile, as taught by Li (col. 4, ln. 16-17).

Re claim 43, Li further teaches for example in fig. 1 and 5, wherein said refraction index matching means is a liquid, gel, and/or a glue (col. 5, ln. 42-44).

Re claim 44, Li further teaches for example in fig. 1 and 5, wherein said refraction index matching means has a refraction index which essentially coincides with the refraction index of the material of said light integration device or with the refraction index of the material of the light source devices periphery (col. 5, ln. 42-44; wherein the examiner interprets the refractive index of the “low index epoxy or other transparent material such that the total internal reflection still occurs” to teach a refraction index which essentially coincides with the refraction index of the material of said integration device).

Re claim 45, Li further teaches for example in fig. 1 and 5, wherein said light integration device (20, 50) is or comprises a hollow light pipe (col. 4, ln. 25) having a light incidence aperture (input of 20 and 50), wherein said light incidence aperture of said light integrating device (20, 50) is positioned in a neighborhood of a light exit aperture (fig. 5) of said light source device (120) or of said light mixing devices (30) and wherein a second or end section in the neighborhood of said light incidence aperture (input of 20 and 50) and/or being terminated by said light incidence aperture (input of 20 and 50) is - in particular completely - filled with a plain light pipe section (20 or 50), in particular for matching the respective refraction indices (col. 4, ln. 30-33; wherein the examiner interprets 20 and 50 could be made from the same material).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph P. Martinez whose telephone number is 571-272-2335. The examiner can normally be reached on M-F 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Mack can be reached on 571-272-2333. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Joseph Martinez/
Primary Examiner
AU 2873
7-19-10